

UNITED STATES DISTRICT COURT
Northern District of California

Guagliardo,

07-05325 RMW

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

v.

College Entrance Examination Board,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
2 to an e-mail directed to adr@cand.uscourts.gov.

3
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if
5 required, to occur before the Case Management Conference.

6
7
8 Dated: January 24, 2008

9 RICHARD W. WIEKING

10 Clerk

11 by: Timothy J. Smagacz

12 

13 ADR Administrative Assistant

14 415-522-4205

15 Tim_Smagacz@cand.uscourts.gov

PROOF OF SERVICE

Case Name: Guagliardo v. College Entrance Examination Board

Case Number: 07-05325 RMW

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On January 24, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Daniel Francis Pyne III
Hopkins & Carley
The Letitia Building
70 South First Street
POB 1469
San Jose, CA 95113
dpyne@hopkinscarley.com

A Law Firm

Mylene Jacqueline Brooks
2049 Century Park East
32nd Floor
Los Angeles, CA 90067-3206
mybrooks@proskauer.com

Harold M. Brody
Proskauer Rose LLP
2049 Century Park East
32nd Floor
Los Angeles, CA 90067
hbrody@proskauer.com

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on January 24, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz

A handwritten signature in black ink that reads "Timothy Smagacz". The signature is written in a cursive, slightly slanted style.

ADR Administrative Assistant

415-522-4205

Tim_Smagacz@cand.uscourts.gov